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**Subject:** Microsoft Settlement

Fails to include other Microsoft software products such as Microsoft Office which regularly uses interfaces (APIs) that are not provided to other developers of Office products. While Microsoft Office is not technically a middleware program, the judgement should be expanded to include all Microsoft software products that have interface access that either is not available to non-Microsoft software developers or is made available after the last beta of a new version of the Windows operating system

Fails to provide any remedy (fines that double in size on every reoccurrence of the same problem and increase in size by 50% for each month after 90 days that Microsoft fails to provide a solution to any single problem/short term incarceration for the group leader or any higher Microsoft officer who either verbally, or via e-mail or written note tells a product group to do something that violates any reported compliant that the TC determines is meritorious or any TC proposal for a cure on a date that is one week or later than the TC reported its finding to the Microsoft Compliance officer) should such a failure be found again in the future!

Fails to reduce the application barrier to entry that Microsoft was found to have illegally protected. It also fails to provide any remedy like fines paid by Microsoft that are given to the company that documents a case against Microsoft. Microsoft should also have to reimburse the company for all documented expenses related to collecting, preparing and reporting the compliant that are reasonable and not deemed excessive by a court appointed arbitrator.

Fails to force Bill Gates and the current CEO of Microsoft who both are billionaires due to their creation of a monopoly to pay any fines. At a minimum, they should personally be forced to reimburse the federal government and all state governments for their costs in this case. In addition, punitive damages should be paid to a fund that could be used to provide seed money to software developers who wish to enter the market. This would be a significant step in addressing the barriers that Microsoft created in the past.

Fails to remedy the injury done to the Java™ technology community. Microsoft should be forced to provide a mechanism like the Control Panel Add/Remove program that makes it easy for customers to add the latest Java Virtual Machine and Browser plug in to any and all Windows Operating Systems. In addition Microsoft should be forced to provide to the Java development community any additional interfaces that are provided to any middleware or other Microsoft product in such a fashion that the Java Community deems is necessary to make Java use of the interface efficient. As an example, DCOM works best with C++ or C# or .Net. It has data types that are not easily mapped into Java Objects/types. Thus we as a software development company were forced to purchase a product from JIntegra that wrapped our C++ data structures with Java code. Even after purchasing JIntegra, the effort was so difficult that we paid the JIntegra company to

provide one of their software experts to assist in the work. Even with the help of the expert, we had to rewrite our C++ code to use simpler data structures than the original code. Even now, we are limited to the set of types that the JIntegra expert successfully wrapped. This extra barrier to Java developers who want to use DCOM to communicate to a C++ DLL that runs on a remote server needs to be eliminated. Microsoft should be fined every month after 90 days that it fails to provide a solution or at least provide a team of twelve developers who at Microsoft expense are dedicated to working with the Java development community to eliminate this barrier and any additional barriers reported to the Java development community by members of the community.

Fails to remedy the illegal injury that Microsoft was found to have done to Netscape Navigator and the browser market. Why is their no fine paid by Microsoft to the court and then paid by the court to Netscape?

Fails to curtail Microsoft's illegal bundling of middleware programs including browsers, media players, and instant messaging software into the monopoly Windows operating system.

Is ambiguous and subject to manipulation by Microsoft because it lacks an effective enforcement mechanism.